

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

05-CR-137-E

MICHAEL KEMP,

Defendant.

ORDER

On July 20, 2007, there appeared before this Court, Martin J. Littlefield, Assistant United States Attorney on behalf of the government, the defendant Michael Kemp and his attorney Timothy Hoover, Esq. At that time, there was pending before this Court a motion by the government that an examination be conducted by the defendant in anticipation of sentencing of the defendant pursuant to Title 18, United States Code, Section 3552(b)&(c). Since that original motion and appearance, additional submissions have been made by the parties which the Court has duly considered.

Bearing in mind the positions and arguments of the parties and the Court's desire to acquire more information about the defendant than is otherwise available, it is hereby

ORDERED, that the defendant be examined by a qualified

consultant (a local psychiatrist or psychologist as determined by the United States Department of Probation) pursuant to Title 18, United States Code, Section 3552(b) & (c) and that such examination be an examination of the defendant to determine his psychological, mental and emotional status including, but not limited to, information relating to the defendant's mental and emotional attitudes about sexuality, so as to assist this Court in formulating a sentence and/or a treatment plan which could be used as part of the sentence and/or upon the defendant's ultimate release from incarceration and back into the community. It is hereby further

ORDERED, that such examination and report shall be completed no later than 30 days from the date of this Order and that such report and/or recommendation be submitted to the Court and also be provided to the government's attorney, Assistant United States Attorney Martin J. Littlefield and the defendant's attorney, Timothy Hoover, Esq.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: August 9, 2007